

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**JULIE KEASCHALL, Personal
Representative of the Estate of Kurtis
Keaschall, deceased and DAWSON
PUBLIC POWER DISTRICT,**

Plaintiffs,

VS.

**ALTEC INDUSTRIES, INC. and
OSBORNE INDUSTRIES, INC.,**

Defendants.

CIVIL ACTION NO.: 4:14-CV-03070

INDEX OF EVIDENCE IN SUPPORT OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

Defendants, Osborne Industries, Inc. and Altec Industries, Inc., hereby submit the following Index of Evidence in Support of Defendants' Motion for Summary Judgment.

Affidavit of Stephen L. Ahl: [Exhibit 1] attaching:

- A. September 26, 2015 Report of John A. Eihusen, P.E.
- B. October 24, 2016 and November 29, 2016 Deposition of John A. Eihusen, P.E.,
- C. November 30, 2016 Deposition of William R. Coleman, M.S., P.E.
- D. September 30, 2015 Report of William R. Coleman, M.S., P.E.
- E. August 29, 2016 Supplemental Report of William R. Coleman, P.E., M.S.
- F. Rebuttal Report of John A. Eihusen, P.E.
- G. June 23, 2016 Knott Laboratory Engineering Report prepared by Ben T. Railsback, M.S., P.E.
- H. Report of Joseph F. Rakow, PhD, P.E.
- I. June 27, 2016 Report of Anand R. Shah, M.S., M.B.A., P.E.

J. Altec Industries, Inc. Operator's Manual for AA755L. This document is subject to a protective order and is filed under seal.

Dated this 10th day of May, 2017

OSBORNE INDUSTRIES, INC., and ALTEC INDUSTRIES, INC. Defendants,

By: /s/Stephen L. Ahl
Stephen L. Ahl, #10036
Elizabeth Ryan Cano, #26180
Wolfe, Snowden, Hurd, Luers & Ahl, LLP
Wells Fargo Center
1248 O Street, Suite 800
Lincoln, NE 68508
(402) 474-1507
sahl@wolfesnowden.com

Attorneys for Defendant Osborne Industries, Inc.

/s/ Robert W. Shively
Robert W. Shively
Shively & Lannin, P.C., L.L.O.
4400 South 86th Street, Suite 100
Lincoln, NE 68526
rshively@shivelylaw.com

Attorneys for Defendant Altec Industries, Inc.

CERTIFICATE OF SERVICE

I electronically filed the foregoing I electronically filed the foregoing ***Index of Evidence in Support of Defendants' Motion for Summary Judgment*** on this 10th day of May, 2017, with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Larry W. Beucke
PARKER, GROSSART LAW FIRM
P.O. Box 1600

Kearney, NE 68848-1600

lwb@pgbblaw.com

Peter C. Wegman

pwegman@remboltlawfirm.com

Mark R. Richardson

mrichardson@remboltlawfirm.com

Tim Engler

tengler@remboltlawfirm.com

Daniel Klaus

dklaus@remboltlawfirm.com

REMBOLT LUDTKE LLP

1128 Lincoln Mall, Suite 300

Lincoln, NE 68508

(402) 475-5100

Attorney for Plaintiff Julie Keaschall

Steven E. Guenzel

JOHNSON, FLODMAN LAW FIRM

P.O. Box 81686

Lincoln, NE 68501

sguenzel@johnsonflodman.com

Attorney for Plaintiff Dawson Public Power District

/s/Stephen L. Ahl

Stephen L. Ahl